

of purpose, a sense of why we were here, and that we were making a difference. Corporal Pierson was destined not to only be a Marine, but a leader among Marines. He fostered a sense of caring for Marines while still embodying all it meant to be a Marine."

Corporal Jordan Pierson was a true patriot and defender of our great Nation's principles of freedom of justice. He served as an example of the potent American spirit, which permeates this Nation's history. I am both proud and grateful that we have the kind of defender exemplified by Corporal Pierson serving our great Nation.

Our Nation extends its heartfelt condolences to his family. To his father Eric, his mother Beverly, and brother Ethan, we extend our profound gratitude for sharing this outstanding marine with us, and we offer our prayers and support.

COMMUNICATIONS ACT OF 2006

Mr. MARTINEZ. Mr. President, I would like to bring to the attention of my colleagues a bill that could have a significant impact on the family budgets of millions of American households. H.R. 5252, the Communications Act of 2006, passed by the Senate Commerce Committee in June is that bill.

H.R. 5252 is an important piece of proconsumer legislation. It reforms the cable franchising process to permit competition to incumbent cable companies. The result will be competition in the delivery of cable television services to all our constituents.

While prices for Internet access and wireless service continue to fall, cable bills continue to climb and climb—in fact, according to the Federal Communications Commission, those bills have shot up more than 86 percent over the past decade. Millions of Americans have no choice when it comes to their video provider.

H.R. 5252 will change that by bringing real competition and giving consumers the ability to choose who provides their video programming. This is something consumers want and deserve. Competition brings lower prices and consumers win. Competition brings improved customer service—and consumers win. Competition results in service providers seeking to serve narrower segments of the marketplace—and consumers win.

It is not an exaggeration to say that the enactment of this legislation will save consumers billions of dollars a year. In the few markets where video providers have successfully negotiated franchise agreements—for instance, in parts of Florida, Texas and Virginia—consumers have benefited greatly.

According to a recent Bank of America study, in those aforementioned areas, cable bills have fallen by 28 to 42 percent—a savings of as much as \$264 per year for cable customers.

And a recent Phoenix Center report estimates that each year Congress delays cable franchise reform, it costs

American consumers \$8.2 billion in unrecoverable losses from increased cable rates. This is unacceptable.

Furthermore, according to the same report, this means that Florida consumers are losing \$626 million each year. That is a significant amount of money coming out of the pockets of my fellow Floridians. We have the power to change this. Consumers in every State will continue to lose money if we do not act now.

This issue is too important for us to ignore. We all know and understand that technology is changing each and every day—and yet our Nation's telecom laws have not been updated in 10 years.

The United States is the world leader in creating new and innovative technologies and we are at the forefront of bringing these new technologies to the marketplace. Sadly though, when it comes to broadband deployment, the U.S. currently ranks 16th in the world.

We need to act today to update our Nation's telecom laws and bring more choice and competition to the marketplace. Our economy needs it and consumers are demanding it.

I know the Senate Calendar is packed with important legislation which we must complete prior to adjourning. But the video choice legislation will affect every single household in America. It will bring competition to the video programming marketplace, and bring the benefits of competition to all of our constituents, whether or not they subscribe to cable.

I urge my colleagues to support the efforts of Senator STEVENS to bring this legislation before us.

As far as this legislation is concerned, time is money. Change is long overdue, and we are eager to help our fellow Americans keep more of their hard earned money.

We in this Chamber have a responsibility to get this legislation passed sooner, rather than later, so that our constituents can start saving more today, not tomorrow.

TRIBUTE TO WAYNE S. FENTON, M.D.

Mr. DOMENICI. Mr. President, I rise today to pay tribute to Wayne S. Fenton, M.D., Director of the Division of Adult Translational Research and Associate Director for Clinical Affairs at the National Institute of Mental Health who was tragically murdered on September 3, 2006.

Dr. Fenton was a man truly passionate about working with the most severe mentally ill population. He was a compassionate and tireless advocate for people with mental illness and the families so desperately trying to help them. He went above and beyond the call of duty and continued a private practice outside of his work at the National Institute of Mental Health. In his private practice, Dr. Fenton readily treated patients with the most severe mental illnesses, very often ones that

other psychiatrists refused to see. These are the patients who are most likely to commit horrific crimes when they do not take necessary medication.

Just last week, I participated in a panel discussion regarding whether the State of New Mexico should enact an assisted outpatient treatment, AOT, program that requires a court ordered treatment for those who are severely mentally ill. It is time we focus on this issue at a State and national level. Dr. Fenton's death should not be in vain; we cannot continue along a path that not only does not help the suffering, but continues to hurt the community. This is a challenging topic to take on and a hard discussion to have but we must start addressing the link between untreated mental illness and violence or we run the risk of seeing more horrific deaths.

Outside of his work and private practice, Dr. Fenton worked with many groups including the National Alliance of the Mentally Ill, the American Psychiatric Association, and the World Psychiatric Association. He served as Deputy Editor of Schizophrenia Bulletin and as a consultant to the Department of Justice, Civil Rights Division. On numerous occasions he was nominated as one of the Best Doctors in America. He was a leader in the field of mental health research, particularly relating to the study of schizophrenia. Dr. Fenton authored many textbook chapters and more than fifty scientific papers on diagnosing, treatment, and mental health service methods for individuals who suffer from schizophrenia. His central goal was to create a treatment system to allow even those suffering from the most severe mental illness to become functioning members of society.

Dr. Fenton's death truly is a great loss to the mental health community. In the words of Dr. Thomas Insel, Director of NIMH, "It is difficult to grasp such a tragic, shocking loss; a loss not only for his many friends and family but for people with serious mental illness everywhere." As advocates for people with mental illness, and mental health policy, my wife Nancy and I had the pleasure to work with him over the years. I am extremely saddened by his tragic death. I want to extend my thoughts and prayers to his family, friends, and coworkers at this time. It is my hope they remember the great impact he made during his time with us. I express my deepest sympathy to them.

NOMINATION OF JAMES O'GARA

Mr. BIDEN. Mr. President, prior to the August recess, the Senate sent the nomination of James O'Gara to be the Deputy Director for Supply Reduction at the Office of National Drug Control Policy back to the White House for reconsideration. Mr. O'Gara's nomination was strongly opposed by Senators on both sides of the aisle, which prevented it even from being reported out

of the Judiciary Committee. Unfortunately, the White House has returned Mr. O'Gara's nomination for confirmation. As such, I am using this opportunity to, again, remind the President of the objections that law enforcement and many Members of this body have to the policies and the leadership at the Office of National Drug Control Policy. In so doing, it is my hope that the administration will change course and develop and implement strategies that will address the drug problems facing our communities, such as the spread of methamphetamine.

More than 20 years ago I began working to create an Office of National Drug Control Policy because I believed then, as I believe now, that we needed a Cabinet-level official who would coordinate Federal drug policy and be publicly accountable for developing and implementing an effective national strategy. I believe the Office of National Drug Control Policy is an important office, and I take matters related to it very seriously.

When our current drug czar, John Walters, came for a vote before this body in 2001, I opposed his nomination because I did not believe he was the right man for the job.

Unfortunately, my fears have been borne out. During his tenure, John Walters has been reticent to acknowledge the methamphetamine problem that is plaguing small communities nationwide, preferring to focus almost exclusively on marijuana. He recommended to the President that the highly popular and highly effective High Intensity Drug Trafficking Area Program, which funds drug enforcement task forces, be cut by 56 percent and relegated to the Department of Justice. And under his leadership, the Office of National Drug Control Policy has essentially walled itself off from consultation and dialogue with external drug policy experts including treatment professionals, prevention specialists, and State and local law enforcement officials.

Those are just a few of the many examples of Mr. Walters' missteps. Under him, the office operates like an ivory tower rather than the command center for our national drug control policy.

This past year, together with many of my Republican colleagues, I fought to prevent James O'Gara—a colleague of Mr. Walters since 1989—from becoming the Deputy Director for Supply Reduction. Together, they have coauthored policy articles expressing their shared drug policy views. Given the misgivings that many of us have about how Mr. Walters has run the Office of National Drug Control Policy, I would likely have a difficult time voting to give a promotion to any member of his inner circle. But that is not the only reason why many of us opposed Mr. O'Gara's nomination.

Perhaps most troubling is that Mr. O'Gara, who was nominated for a position which has authority over international drug control, foreign and do-

mestic drug intelligence, and interdiction, does not have the confidence of law enforcement.

In letters to Senator SPECTER and Senator LEAHY expressing their strong opposition to the O'Gara nomination, law enforcement has expressed its strong opposition. The National Narcotics Officers Association wrote that:

Mr. O'Gara lacks an operational understanding of a critical issue involved in supply reduction, has no operational background in supply reduction or drug control, and most importantly is not trusted by his constituents in the drug enforcement, prevention and treatment fields. All of this makes him unqualified and unable to effectively lead the coordination of supply reduction initiatives in accordance with the National Drug Control Strategy.

The letter from the HIDTA Directors states that:

Based on our collective 1,000+ years of law enforcement experience, we believe Mr. O'Gara lacks the qualifications and abilities necessary to coordinate our nation's supply reduction initiatives effectively. We believe his lack of experience and inability and/or unwillingness to collaborate with a variety of stakeholders has resulted in the formulation of three National Drug Control Strategy documents that do not provide adequate guidance to law enforcement, treatment, and prevention professionals; lack specific and measurable objectives; and insufficiently address some of the most pressing drug threats facing our country today, including methamphetamine.

By returning this nomination, it is my hope—together with many of my Republican colleagues—that the administration will reconsider and rescind this nomination.

State and local law enforcement accounts for more than 90% of drug-related arrests. During a time when assistance for State and local law enforcement has been slashed, it is essential that the leadership of the Office of National Drug Control Policy have the confidence of local officials. Mr. O'Gara lacks this support. Moreover, Mr. Walters and Mr. O'Gara have alienated State and local law enforcement, drug prevention and treatment professionals, as well as many members of Congress.

As the scourge of methamphetamine continues to ravage middle America, it is essential that the policies adopted and the personnel appointed by the administration have the confidence of the drug enforcement community. President Bush could take a huge step in this direction by rescinding the nomination of Mr. O'Gara and consulting with local law enforcement to appoint an individual who could win the bipartisan support of the Senate.

ADDITIONAL STATEMENTS

RECOGNIZING THE CENTER FOR INDEPENDENT LIVING—FRESNO

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing and congratulating the Center for Independent Living—Fresno for 30 years of

dedicated service empowering people with disabilities in Fresno, Kings, Madera, and Merced counties. Since opening their doors in 1976, this organization has made significant contributions to the lives of the Central Valley's disabled community and their family members.

For the past three decades, the Center for Independent Living—Fresno has been a respected leader in advocating for people with disabilities to live independent lives. They strongly uphold the principle that everyone should be afforded the opportunity to thrive and live independently in their own communities. The dedicated staff of the Center of Independent Living—Fresno work tirelessly to ensure that those who are in need of their support are treated with the respect and dignity that all people deserve. Through the center, thousands of people have learned invaluable tools to help them become self-advocates and lead productive lives.

I congratulate the Center for Independent Living—Fresno on its 30th anniversary and wish its staff and supporters even greater success as they continue to provide important services to people with disabilities. You are not only a tremendous asset for your clients, but you perform a great service for the Central Valley community.●

RESTORATION OF THE COLONIAL THEATER IN PITTSFIELD, MA

• Mr. KENNEDY. Mr. President, last week, an excellent article in the New York Times of August 29 detailed the renaissance of Pittsfield, MA, which has adopted a bold economic revitalization strategy centered on the arts and historic preservation involving the restoration of the popular Colonial Theater of a century ago. Pittsfield mayor James Ruberto and the entire Pittsfield community came together behind this bold vision, which received major encouragement a decade ago when the theater was included as part of First Lady and now Senator HILLARY RODHAM CLINTON's highly effective Save America's Treasures tour.

The Colonial Theater certainly qualified as an American Treasure. The restored theater reopened on August 29 to wide acclaim, and I am proud of all that the mayor and the community have accomplished. This recognition of their efforts is eminently well-deserved, and I believe all of our colleagues in Congress will be interested in Pittsfield's extraordinary achievement. I commend Mayor Ruberto and the people of Pittsfield for a job well done, and I ask that the article be printed in the RECORD.

The article follows.

[From The New York Times, Aug. 29, 2006]
A CITY PLOTS ITS FUTURE BY REACHING INTO THE PAST

(By Hubert B. Herring)

Arts-minded visitors to the Berkshire Hills in western Massachusetts may think of Pittsfield as little more than an urban speed